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Furthermore, claim 1 requires a synchronizer that synchronizes the motion of the restraining element and the force applicator, to achieve a desired deformation of the implant. Applicants did not find any mention of a synchronizer in Bachmann, and specifically did not find showing of a synchronizer in Fig. 7 and 8 referred to by the Examiner. At most, Figs. 7 and 8 show a safety locking mechanism that prevents the stent from expanding prematurely, i.e., before outer tube 9' was drawn back beyond the sleeve engaging position (col. 5, lines 49-54). Bachmann does not teach or suggest a synchronizer that synchronizes application of force to the stent with release of the outer tube 9 (which could possibly be considered the restraining element of claim 1), but at most synchronizes the release of the locking mechanism with the application of force on the outer tube (not on the implant!).

Claims 1, 23, 38, 41 and 47-55 stand rejected under 35 U.S.C. §102(b) as being anticipated by Beyar et al. (5,782,838). Applicants respectfully traverse the rejection and state that the Examiner has not established a *prima facie* case of anticipation, as Beyar lacks at least one limitation of the claim.

Claim 1 requires a force application mechanism for applying a deforming force to the implant. This is not taught or suggested by Beyar, which teaches a self expandable stent (Col. 1, lines 35-36). Figs. 1 and 5-9 of Beyar show a release mechanism such as loop 61 in Fig. 6, loop 80 in Fig. 7 or restraining means 31 in Fig. 8. Even if these release mechanisms could be considered force application mechanisms, none of these mechanisms applies a deforming force to the implant, as required by claim 1.

Furthermore, claim 1 requires a synchronizer that synchronizes the motion of the restraining element and the force applicator, to achieve a desired deformation of the implant. Applicants did not find any mention of a synchronizer that synchronizes the motion of the restraining element and the force applicator in Beyar, and specifically did not find any mention in columns 2-3 referred to by the Examiner.

Claims 1, 34-37 and 69-72 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lenker et al. (5,683,451). Applicants respectfully traverse the rejection and state that the Examiner has not established a *prima facie* case of anticipation, as Lenker lacks at least one limitation of the claim.

Claim 1 requires a force application mechanism for applying a deforming force to the implant, by axial motion of a force applicator against the implant. This is not taught or suggested by Lenker, which teaches a prosthesis maintained under compression and released in a target location (col. 6, lines 12-24). The force application mechanism shown in Figs. 1-

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10 of Lenker releases a protective cover 32 (col. 8, lines 56-60) and does not apply axial motion against the prosthesis.

Furthermore, claim 1 requires a synchronizer that synchronizes the motion of the restraining element and the force applicator, to achieve a desired deformation of the implant. Applicants did not find any mention of a synchronizer in Lenker.

Applicants point out that a 1449 form was filed on May 4, 2004, together with a copy of the cited art. The form was never received in return initialed by the Examiner. Applicants are resubmitting the form again and respectfully request that the reference listed thereon be initialed by the Examiner. Further, applicants point out that a 1449 form was filed on February 22, 2005, together with a copy of the cited art. Applicants are aware that said 1449 form was filed after the instant Office Action, dated February 10, 2005, which is currently being responded to, however, applicants are resubmitting the form again and respectfully request that the reference listed thereon be initialed by the Examiner.

Applicants submit that the present application is ready for allowance. If the Examiner does not agree, the Examiner is respectfully requested to call the undersigned at toll free 1 (877) 428-5468. This number connects directly to the undersigned's office in Israel. Note that Israel is 7 hours ahead of Washington, and that the normal work week is Sunday through Thursday.

Respectfully submitted,
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